

MARK E. SOUDER
3RD DISTRICT, INDIANA

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Congress of the United States
House of Representatives
Washington, DC 20515

May 27, 2005

The Honorable Jim Nicholson
Secretary
Department of Veterans Affairs
810 Vermont Avenue NW
Washington, D.C. 20420

Dear Secretary Nicholson:

Last November, Congress passed, and the President signed into law, H.R. 3936, the Veterans Health Programs Improvement Act of 2004. Contained in this legislation was Sec. 414, which requires the Veterans' Affairs Department (VA) to notify the House and Senate Committees on Veterans' Affairs prior to implementing any mission change for 11 VA facilities in the United States. Among those 11 facilities was the VA hospital in Fort Wayne, Indiana. The legislation states that, the notice to Congress must include the following:

- (1) An assessment of the effect of the mission change on the population of veterans served by the facility.*
- (2) A description of the availability and quality of health care, including long-term care, mental health care, and substance abuse programs, available in the area served by the facility.*
- (3) An assessment of the effect of the mission change on the economy of the community in which the facility is located.*
- (4) An analysis of any alternatives to the mission change proposed by—*
 - (A) the community in which the facility is located;*
 - (B) organizations recognized by the Secretary under section 5902 of title 38, United States Code;*
 - (C) organizations that represent Department employees in such community; or*
 - (D) the Department.*

Recently, it has come to my attention that the VA is ignoring the mandate under P.L. 108-422 to do the research necessary to provide responses to Sec. 414 (e) (1)-(4).

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While nine of the eleven cities listed in P.L. 108-422 have received Pricewaterhouse-Coopers studies that will include research on the above listed items, there is no plan in place to do any additional research for Fort Wayne, Indiana, in order to provide answers to items (1) – (4). I am disappointed with the VA's disregard for the law and I urge you to direct your staff to enact a plan of action to ensure compliance. Please keep me and my staff apprised of the VA's progress toward fulfilling the requirements listed in Sec. 414.

For the past few years I have been fully engaged in the CARES process, and I must say I am displeased with the quality and quantity of data and the lack of analysis of the costs and benefits of various proposals that have been considered by the VA as it seeks to best meet the health care needs of veterans in Northeast Indiana. I understand the process is not yet complete and I hope the VA will use the months ahead to fully consider the ramifications of closing acute care at the Fort Wayne hospital and transferring those patients to the Indianapolis facility more than two hours away.

Thank you for your serious consideration of my request. I look forward to hearing your response. It is my hope that the VA and Congress can continue to work together to ensure that the federal government is responsive to the health needs of our veterans.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Souder", with a stylized, flowing script.

Mark Souder

Member of Congress